

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Group Art Unit:	2618
	)		
GEORGE HUANG et al.	)	Examiner:	Tuan Pham
	)		
Serial No.: 10/003,553	)		
	)		
Filed: October 24, 2001	)		
	)		
For: AUTOMATIC LONGITUDINAL	)		
BALANCE FOR SOLID STATE	)		
DAAS	)		

Commissioner for Patents  
P. O. Box 1450  
Washington, D.C., 22313-1450

**PETITION TO WITHDRAW HOLDING OF  
ABANDONMENT UNDER 37 C.F.R. §1.181**

1. I hereby petition to withdraw the holding of abandonment in this case on the basis that the Office Action forming the basis of the abandonment was not received by counsel for the Applicants. The detailed bases for this Petition are as follows.
2. On or about January 31, 2005, a Notice of Non-Compliant Amendment was received and docketed by counsel of record for the Applicants. A true and correct copy of the File Jacket for this application is attached as Exhibit A. On the File Jacket, a box is shown titled "Ntc of Non-Compliant Amendment" (left side of File Jacket, mid-way down the File Jacket) with a handwritten date of "1-25-05" entered on the File Jacket. As is the standard business practice of counsel for the Applicants, the handwritten date of "1-25-05" was entered on the File Jacket upon receipt of the Notice of Non-Compliant Amendment. In addition, page 2 of the Docket Record for this application (a true and correct copy of which is attached as Exhibit B) shows a "Compliant

Non-Final Amendt” due “25-Feb-2005,” with extensions until the final due date of “25-Jul-2005” (“Compliant Amendment Due”).

3. On or about May 16, 2005, a Second Notice of Non-Compliant Amendment was received and docketed by counsel of record for the Applicants. On the File Jacket, a box is shown titled “2<sup>nd</sup> Ntc of Non-Compliance” (left side of File Jacket, mid-way down the File Jacket) with a handwritten date of “5-12-05” entered on the File Jacket. As is the standard business practice of counsel for the Applicants, the handwritten date of “5-12-05” was entered on the File Jacket after receipt of the Second Notice of Non-Compliant Amendment. There was no need to docket additional dates on the Docket Record.

4. On or about November 6, 2006, counsel for the Applicants received a Notice of Abandonment dated November 1, 2006 explaining that the present “application... [was] abandoned in view of Applicant’s failure to timely file a proper reply to the Office letter mailed on 18 May 2005 [May 18 Office Action].” On the File Jacket, a box is shown titled “Ntc of Abandonment” (left side of File Jacket, mid-way down the File Jacket) with a handwritten date of “11-1-06” entered on the File Jacket. As is the standard business practice of counsel for the Applicants, the handwritten date of “11-1-06” was entered on the File Jacket after receipt of the Notice of Abandonment. In addition, page 2 of the Docket Record for this application (a true and correct copy of which is attached as Exhibit B) shows a “Petition to Revive” due “01-Jan-2007.”

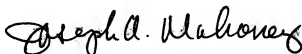
5. The Applicants hereby state, through their respective attorneys of record, that the May 18 Office Action was not received by the Applicants.

6. The Applicants further state, through their respective attorneys of record, that a review of the File Jacket and the Docket Record indicates that the May 18 Office Action was never received by counsel for the Applicants.

7. In consideration of this Petition, it is respectfully requested that the holding of abandonment in this application be withdrawn.

8. Applicants believe no fee is required with this Petition based on MPEP 711.03(c) and 37 C.F.R. §1.181. However, should a fee be due, please charge the fees associated with this communication to our Deposit Account No. 13-0019.

Respectfully submitted,



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Joseph A. Mahoney  
Reg. No. 38,956

Dated: January 2, 2007

MAYER, BROWN, ROWE & MAW LLP  
P.O. Box 2828  
Chicago, Illinois 60690-2828  
Tel: 312.782.0600  
Customer No. 26565

Application No. 10/003,553

Title: Automatic Longitudinal Balance for Solid State DAAS

Exhibit A to Petition To Withdraw Holding Abandonment

UNITED STATES PATENT APPLICATION

CLIENT NO. <b>093406</b>	FILE NO. <b>00680365</b>	Attorneys <b>BSR</b>	Assignee / Owner <b>U.S. Robotics</b>	PTO Group No.		
CLIENT <b>U.S. ROBOTICS CORPORATION</b>						
TITLE <b>AUTOMATIC LONGITUDINAL BALANCE FOR SOLID STATE DAAS</b>						
INVENTORS <b>G. HUANG; B. MARCHEVSKY</b>						
CASE TYPE		STATUS				
APPLN. NO. <b>10/003553</b>		FILING DATE <b>10-24-2001</b>				
PATENT NO.		ISSUE DATE				
PUBL. DATE <b>4-24-03 (2003-0076945)</b>		EXPIRATION / ABANDON DATE				
LICENSEES						
Notice of Allowance	Issue Fee Due	Sent to PTO	U.S. MAINTENANCE FEES Paid			
Drawings Due	Sent		3.5	1 1		
Convention Notice <b>10-24-2002</b>	Foreign Filing Granted		7.5	1 1		
			11.5	1 1		
OFFICE ACTION	Date	Resp. Due	Docket	PAPER FILED	Date Mailed	Receipt
NOTICE TO FILE MISSING PARTS	1/3/02	3/3/02	PC	Doc + PDA + M. Ex	4-3-02	
OFFICE ACTION	8/19/04	2-19-05	PC	Amend	10-8-04	
Notice of Non-Compliance	1-25-05	2-25-05		Req. / Complied / Amend	2-25-05	
2nd Notice of Non-Compliance	5-12-05	5-25-05				
Notice of Abandonment	11-2-06	1-1-07				

REMARKS:

**Small Entity**

ASSIGNOR  
**U.S. Robotics**

ASSIGNEE  
**U.S. Robotics**

SENT TO PTO  
**4-30-02**

DATE RECORDED  
**4-30-02**

REEL / FRAME

CORRES. FOREIGN APPLNS. FILED IN:

MAYER, BROWN & PLATT  
Chicago, Illinois

Application No. 10/003,553

Title: Automatic Longitudinal Balance for Solid State DAAS

Exhibit B to Petition To Withdraw Holding Abandonment, p. 1

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## Country Application

Tuesday, December 19, 2006

Page: 1

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Client.Matter: 093406.00680365	Resp.Office: IL
Foreign Matter No.: 00680365	Country: US
Client: U.S. ROBOTICS CORPORATION	SubCase: United States of America
Case Type: ORD	Application Status: Published
Application Number: 10/003553	Filing Date: 24-Oct-2001
Publication Number: 2003-76945	Publication Date: 24-Apr-2003
Patent Number:	Issue Date:
Parent/PCT Number:	Parent/PCT Date :
Parent Patent Number:	Parent Issue Date :
Tax Schedule: SE	Expiration Date:
Confirmation Number:	Patent Term Adjustment: 0
Agent: MBP	MAYER, BROWN, ROWE & MAW LLP
Agent Reference No.:	

Remarks: ASSIGNMENT from inventors to U.S. Robotics sent to PTO, 04-30-2002;  
recorded 04-30-2002; Reel 12857/Frame 0974

**Country Application**

Tuesday, December 19, 2006

Page: 2

**List Of Actions**

Action(s) Due	Due Date		Action Taken
Information Disclosure Stmtnt	24-Jan-2002	Due Date	24-Jan-2002
Reminder-Claim of Priority-IMO	24-Jan-2002	Reminder	24-Jan-2002
Any Claim of Priority Due	24-Feb-2002	Final	24-Feb-2002
Response Due	03-Mar-2002	Due Date	03-Mar-2002
1st Extension	03-Apr-2002	Due Date	03-Apr-2002
6 MO. PARIS CONVENTION WARNI	24-Apr-2002	Reminder	24-Apr-2002
2nd Extension	03-May-2002	Due Date	03-May-2002
3rd Extension	03-Jun-2002	Due Date	03-Jun-2002
Final Deadline	03-Jul-2002	Final	03-Jul-2002
3 MO. PARIS CONVENTION WARNI	24-Jul-2002	Reminder	24-Jul-2002
9 MONTH STATUS CHECK	24-Jul-2002	Reminder	19-Aug-2004
2 MO. PARIS CONVENTION WARNI	24-Aug-2002	Reminder	24-Aug-2002
IMO Paris Conv/SEND Client Ltr	24-Sep-2002	Due Date	24-Sep-2002
Application Status Check	24-Oct-2002	Due Date	24-Oct-2002
Foreign Filing	24-Oct-2002	Due Date	24-Oct-2002
Formal Drawings Due	24-Oct-2002	Reminder	24-Oct-2002
PARIS CONVENTION DUE DATE	24-Oct-2002	Final	24-Oct-2002
US-Missing Part Follow Up Date	30-Oct-2002	Reminder	30-Oct-2002
Published if No Req not to	24-Apr-2003	Reminder	24-Apr-2003
RESPONSE/AMENDMENT DUE	19-Nov-2004	Due Date	08-Oct-2004
1st Extension	19-Dec-2004	Due Date	08-Oct-2004
2nd Extension	19-Jan-2005	Due Date	08-Oct-2004
2 Weeks to Final Date	03-Feb-2005	Reminder	08-Oct-2004
3rd Extension - Final	19-Feb-2005	Final	08-Oct-2004
Compliant Non-Final Amendt due	25-Feb-2005	Due Date	
1st Extension	25-Mar-2005	Due Date	
Follow Up - Response to O/A	08-Apr-2005	Reminder	
2nd Extension	25-Apr-2005	Due Date	
3rd Extension	25-May-2005	Due Date	
4th Extension	25-Jun-2005	Due Date	
Compliant Amendment Due	25-Jul-2005	Final	
NOTICE OF ABANDONMENT	01-Nov-2006	Final	
PETITION TO REVIVE	01-Jan-2007	Due Date	

Application No. 10/003,553

Title: Automatic Longitudinal Balance for Solid State DAAS

Exhibit B to Petition To Withdraw Holding Abandonment, p. 3

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## Country Application

Tuesday, December 19, 2006

Page: 3

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User ID: t1h

Date Created: 09-Nov-2001

Last Update: 06-May-2003